G. R. S. 59]

GENERAL AND REVENUE SECRETARIAT.

19[illegible]

(Legislation)

File No. 26-11

Serial Nos. 1 + 2

10

Papers Filed.

Month January 1912

SUBJECT.

Requisition from the International Labour Office, Basel, Switzerland for certain information re the working of the labour laws in Mysore.

PREVIOUS REFERENCES.	LATER REFERENCES.

Crownson

G.R.S. 11] 1911-12

GENERAL AND REVENUE SECRETARIAT.

(Legislative

NOTES

File No. 26-11

FILE HEADING.

~~Requisition from~~ the International Labour Office Basel, Switzerland, ~~for certain information re the Labour working of the Labour Laws in Mysore~~

From

The Director, The International Labour Office, Basel, Switzerland.

No. 425705 Dated 14/12/11 Received 1/1/11

Diary No. 1696 | Enclos. 2 Spare Copies. 2 Serial No. 1

BRIEF ABSTRACT OF LETTER.

Forwards a copy of the first comparative Report on the Administration of Labour Laws in Europe & and a list of queries on the working of the Labour Laws in Mysore based on the reports of the last two years.

NOTES AND ORDERS.

Submitted. As the list of queries is a very long one, a copy of each of the Mines Regn, Factories Regn, Rules thereunder and the reports of the working of the Regns & Rules for the first 2 years may be

NOTES—First Sheet.

GPB—30,000—12-8-11

G. R. S. 12]
General and Revenue Secretariat.

Legis File No. 26 of 1911-12

Serial No.

Yes 2m

sent as all the information necessary could practically be gathered from these ~~reports~~. The publications of the Labour Office now received and herewith sent up have to be acknowledged as required in the circular letter sent up with the books & unless future issues of this and similar reports are not desired to be sent to this office.

Submitted
(58) SW(11) 2
3/1/12 4.1.12

Put up draft
3 [Say that all the information which the State can supply regarding the administration of Labour laws is to be found in the Rules, Regulations & Reports sent]

4/1/12

Submitted with a draft.
(58) SW(11)
6/1/12 8/1/12

9/1/12

NOTE—Contn: sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue
Secretariat.

Legis File No. 26 of 19 11 3

Serial No.	
2	No J 2010 dated 12/1/12 From To Prof. Stephen Bauer Esqr Director, The International Labour Office Basel, Switzerland. 6 ~~Sections~~ The books have been removed to be kept in the Legis Library.

F. ✓

File 17/1/12

16/1/12

NOTE—Contn. sheet.

GPB—50,000—12-8-10

DIARY No. 11696

No 425105

Office International du Travail * International Labour Office
Internationales Arbeitsamt

TELEGR.-ADR: I LO BASEL
TELEPH. No. 1919.

B a s l e . December 14th, 1911.

Sir,

I have the honour to forward

1. The first Comparative Report on the Administration of Labour Laws in Europe.
2. A list of queries , to which I should be extremely glad to have replies until April 1st, 1912.

The data should be given for the last two years, for which they are available.

I wish to state that we are already in receipt of such data for 1908 from the Colonies of Ontario, Victoria , New South Wales, Queensland, Natal, Transvaal, as stated on p. IX of the first named Report.

We are now also in receipt of very valuable reports from all British Crown-Colonies, which have been supplied at the request of H.M. Secretary of State for the Colonies, and from all States of the United States of America,which we owe to the courtesy of the Federal Department of Labor.

We hope to publish next autumn the results for all Non-European countries, being thus able to cover the Inspection of factories, mines and workshops of the whole world and to be up-to-date. The Office hopes,that in order to ensure completeness from the beginning to meet with your approval in asking you kindly to take the trouble of filling the list of queries.

I have the honour, Sir, to remain

Your obedient servant

Stephen Bauer

Director.

H.M. Government Secretary's Office of

Mysore.

LIST OF QUESTIONS

prepared by the International Labour Office relating to the Administration of Labour Laws.

(Serving as an Index.)

Chapter I. General application of the law.

(Cfr. also appendix I.)

		Page
1.	What is the extent of the area under administration?	1
2.	Is it divided into districts? If so, how many and of what extent?	0
3.	State the number and nature of the workplaces which are subject to inspection. Are they registered?	0
4.	State the average number of visits paid to each workplace in a year	0
5.	Does the law apply in like degree to all places and all industries? If not, state the chief exceptions and their nature	0
6.	Are any places outside the law by virtue of limitation of numbers employed?	0
7.	To what extent are domestic workshops and home work affected by labour legislation	00

Chapter II. Inspectorial staff. Numbers, constitution and methods of procedure.

(Cfr. also appendix II.)

1.	Describe the constitution and give the numbers of the staff (distinguishing men and women) appointed for the enforcement of the law. If possible, add information as to education and training. By whom are the Inspectors appointed, and for how long? Is the law administered by one central authority or by district authorities in cooperation with the central authority? If the latter, what are their relations? Or is the law administered independently by each Inspector in his own district?	00
2.	Describe the powers of the Inspectors, central and local. Have they equal powers of entry to workplaces by day and night? Have they power to interview workers privately, and to take written declarations of their statements? Have they the right to examine and give an opinion on the plans of new workplaces? Is anyone who delays or obstructs an Inspector in the performance of his duty (e. g. the refusal of an employer to supply information) liable to punishment?	00
2.a	What are the powers of Inspectors in relation to domestic workshops and home work?	00
3.	Do other authorities (local authorities, police) cooperate with the Inspectors? if so, how?	00

Page

4. Who is held responsible for a breach of the law committed in a workplace? If more than one person may be responsible, state the circumstances which would govern the responsibility. Can the worker himself be held responsible in certain cases, particularly in cases of infringement of laws relating to hygiene and safety, or for supplying incorrect information to the Inspector? 00
5. What action follows the discovery of an offence? In what circumstances would a caution be considered sufficient? . . . 00
6. If a caution be not considered sufficient, does the action which follows take place in the ordinary courts? By whom are the proceedings instituted and conducted? 00
7. Can Inspectors make requirements apart from the general law? If so, how do they enforce them? 00
8. State, if possible, the percentage of unsuccessful prosecutions to the total number undertaken, and the average penalty on successful prosecutions 00
9. Does the law provide a minimum penalty *a)* for offences, *b)* for repeated offences? Are there any offences in respect of which conviction entails a loss of civil rights, or the temporary closing of the workplace? If so, what kind of offences, and who fixes the penalty? Enumerate the cases where such penalties have been enforced 00
10. Is there any system of inquiry into the causes of fatal accidents or industrial poisoning? Is there any system of notification of accidents of industrial poisoning? 00
11. How is the inspection of industrial and commercial establishments administered more especially as regards hygiene and safety? Is such inspection carried out by factory inspectors, or by a special body of medical inspectors? What are the powers of inspectors in this department, especially in regard to precautionary measures? Have they the power to insist on an examination of the workers, and to procure the temporary dismissal of those suffering from infectious illnesses? How are the instructions of these officials enforced? What penalties are imposed? 00
12. What provisions are made in connection with the reports of Inspectors on the performance of their duties? 00

Chapter III. **Cooperation of the workers in the administration of the law.**

1. Do the conditions of appointment allow workers to become inspectors? Have they ever actually done so? 00
2. Are the workmen's associations (more particularly the trade unions) required by law or by the competent authorities to cooperate in the administration of the law? 00
3. In what form and to what extent is the cooperation of such workmen's associations permitted? 00
   a) Is it confined to the right of informing the Inspector of any breach of the law that comes to the knowledge of the Union and requiring him to take action? 00
   b) Can the Union appoint delegates with the right to accompany the Inspector on his visits of inspection, or even to visit by themselves workplaces subject to inspection? 00

2, 3, 4, 5

4

Page

c) If these delegates discover a breach of the law, have they the power to draw up a statement of the same, or at least to record their observations in a special register in the form of a warning? 00

d) Has the Union concerned in such a case the power to cause the authorities to take action by lodging a complaint, or even to prosecute the offender directly? 00

e) If these powers are not conceded, can the Union at least take part in a private capacity when proceedings are taken on the recommendation of the competent Inspector? . . . 00

Chapter IV. **General control of administration.**

1. Is there any person or authority responsible for the general administration of the law with power to determine the limits within which particular provisions are to be in operation? If so, is such power fully exercised? 00

Chapter V. **Reform of system of inspection.**

1. Do any plans exist for reforming the organisation of industrial inspection? If so, who originated them? What are their exact objects? Give a short analysis of the schemes for reform . . 00

Appendix.

I. Summary. Statistics of the Administration of Labour Laws in Europe.
II. Summary. Organisation and Appointment of Inspectors.

3

G.R.S. 267 696/07 Mi

25 6

Legis File No. 26-1

Serial No. 2

Diary No. of letter replied to

No. J 2010/Legis 26-11
Encls. 8

General and Revenue Secretariat
(Legis)
, *the* 19 .

Date of issue 12-1-12

Signed by Sm B. Ramaswamaiya

To

Prof. Stephen Bauer Esq.
Director, The International
Labour Office, Basel
(Switzerland)

Sir,

I reply to your letter No. 425/103
dated 14th December 1911
forwarding a list of queries
~~prepared by the International~~ relating to the administration
of Labour Laws in Mysore,
I am directed to forward
herewith the marginally noted

over.

SUBJECT.

Regulations, Rules and Reports and to state that all the information which ~~the State~~ be can supplied regarding the administration of labour laws is to be found in ~~the Rules &c~~ them.

~~I have~~

I have also to acknowledge with thanks the "~~Report~~ Comparative on the ~~Administration~~ of Labour Laws in Europe" and "The Report of the Sixth General meeting of the Committee of the International Association for Labour Legislation" sent with your letter referred to above.

I have &c

for Secretary to Govt

(1) The Mysore Factories Regn. IV of 1892
(2) The Mysore Mines Regn. IV of 1906
(3) Rules under the Mysore Factories Regn
(4) Rules under the Mysore Mines Regn
(5) G.O. No J 2891-3/Legis 15-09-3 dated 1st April 1910
(6) G.O. No J 890-7/Legis 29-09-9 dated 20th Sept: 1910
(7) G.O. No J 2363-5/Legis 12-10-dated 17th Jan: 1911
(8) G.O. No J 952-9/Legis 33-10-dated 16th Sept: 1911.

List of enclosures,

Copied by

Examined by

GPB—10,000—28-2-11.